

P O R T E R | S C O T T

A PROFESSIONAL CORPORATION
David A. Melton, SBN 176340
Stephen W. Robertson, SBN 228708
350 University Ave., Suite 200
Sacramento, California 95825
TEL: 916.929.1481
FAX: 916.927.3706

Attorney for Defendants
COUNTY OF SACRAMENTO and SHERIFF LOU BLANAS

COZEN O'CONNOR

Huey P. Cotton, SBN 133076
777 South Figueroa Street, Suite 2850
Los Angeles, California 90017
TEL: 213.892.7900
FAX: 213.892.7999

Attorney for Plaintiff
MICHAEL HUFTILE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MICHAEL HUFTILE,

Plaintiff,

Case No. CIV S-05-0171 GEB KJM

**AMENDED JOINT STIPULATION TO
MODIFY SCHEDULING ORDER; ORDER**

vs.

SACRAMENTO COUNTY BOARD OF
SUPERVISORS and SHERIFF LOU
BLANAS

Defendants.

Original Complaint Filed: 1/27/2005

_____/

Plaintiff MICHAEL HUFTILE and Defendants COUNTY OF SACRAMENTO and SHERIFF LOU BLANAS, by and through their respective attorneys of record, hereby agree to the proposed changes set forth below and request the Court to modify the Pre-Trial Scheduling Order issued April 22, 2008 as follows:

Discovery shall be completed

December 5, 2008

Dispositive Motions shall be filed

December 19, 2008

Good cause exists to modify the scheduling order because, despite diligent efforts, the parties need additional time to complete discovery including the depositions of the Plaintiff, SHERIFF LOU BLANAS, and persons most knowledgeable from the COUNTY. It has been difficult calendaring depositions of the parties including Plaintiff because he is incarcerated at Coalinga State Hospital under medical care. It has further been difficult to schedule depositions in light of the calendars for both Counsel for Plaintiff and Counsel for Defendants. However, at this time, the parties have been communicating and have scheduled depositions throughout the month of October and into the first week of November.

Good cause also exists because the parties were hopeful that a settlement could be reached prior to engaging in significant discovery practice. A resolution did not occur which has necessitated completion of these additional discovery depositions.

For the above reasons, all parties respectfully request modification of the scheduling order as identified above.

Respectfully Submitted,

Dated: July 29, 2008

PORTER SCOTT
A PROFESSIONAL CORPORATION

By /s/ Stephen W. Robertson
Stephen W. Robertson
Attorney for Defendants
COUNTY OF SACRAMENTO and
SHERIFF LOU BLANAS

Dated: July 29, 2008

COZEN O'CONNOR

By /s/ Huey P. Cotton(as authorized on October 6, 2008.)
Huey P. Cotton
Attorneys for Plaintiff
MICHAEL HUFTILE

Based on the Stipulation of the parties and good cause appearing therefor:

IT IS HEREBY ORDERED that the Pretrial Scheduling Order is modified as set forth below:

Discovery shall be completed

December 5, 2008

Dispositive Motions shall be filed

December 19, 2008

IT IS SO ORDERED.

Dated: October 10, 2008.



U.S. MAGISTRATE JUDGE